

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

James Kelly,

Petitioner,

v.

Civil Action No. 22-cv-03839-GEKP

Eric Tice, Superintendent, State
Correctional Institution at Somerset;
Michelle Henry, Attorney General, Office
of Attorney General; Lawrence Krasner,
District Attorney, Philadelphia County,
Pennsylvania

Respondents.

PETITIONER'S STATUS REPORT

Petitioner, JAMES KELLY, through undersigned counsel, hereby submits this status report pursuant to the Court's April 24, 2024 order. Mr. Kelly filed a Post Conviction Relief Act (PCRA) petition in the Philadelphia Court of Common Pleas on August 29, 2022. The claims in the PCRA petition are the same as those at issue in this habeas proceeding. The Commonwealth's response to Mr. Kelly's pending PCRA petition is due on May 17, 2024. Mr. Kelly thus continues to exhaust his claims in state court and respectfully requests that this Court continue to stay proceedings in this habeas action while he does so.

Respectfully submitted,

Dated: May 10, 2024

/s/ Nilam A. Sanghvi

Nilam A. Sanghvi

Attorney I.D. No. 209989

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CERTIFICATE OF SERVICE

I, Nilam A. Sanghvi, counsel for Mr. Kelly, do hereby certify that on this 10th day of May 2024, I caused a copy of this Status Report to be served by CM/ECF on counsel of record.

/s/ Nilam A. Sanghvi

Nilam A. Sanghvi